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May 29, 2008

VIA FACSIMILE

Honorable John G. Koeltl, U.S.D.S.  
United States Court House  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

MAY 29 2008

RE: Royal Indian Raj International Corporation v. Zack  
08-cv-03445 (JGK)

Your Honor:

This firm represents the plaintiff in this matter. I write at Your Honor's request, after conferring with counsel for the defendant, to advise the court as follows:

The plaintiff hereby withdraws its pending motion for a preliminary injunction. Accordingly, the plaintiff will not be submitting reply papers, and, as the court advised, the hearing scheduled for June 13, 2008, at 11:30 a.m. will now be instead a telephone status conference with the court.

The parties at this time do not consent to trial of the case before a magistrate judge. The parties agree that discovery should proceed on a standard, non-expedited basis.

As I advised the court at the May 16 conference the plaintiff desires to amend its complaint. I have requested the consent of counsel for the defendant, accordingly. If the defendant consents, then the parties will submit a stipulation to be "So Ordered"; otherwise, the plaintiff will promptly move for leave.

Respectfully,

  
Matthew David Brozik

MDB/lr

cc: William B. Pribis, Esq. (via electronic mail and regular mail)

Application for a preliminary injunction  
is withdrawn.  
so ordered  
5/30/08 J.G.K.  
5/30/08 J.G.K.  
5/30/08 J.G.K.